

16523 U.S. PTO  
07/07/03

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent application of : Atty. Docket:  
Howard B. Gamper, et al. : 44684-0001-CT1  
Serial No.: Not yet assigned :  
Filed: Herewith : Continuation of 09/874,720  
For: BINARY HYBRID MUTATIONAL : filed June 5, 2001  
VECTORS : Prior Examiner:  
Richard A. Schnizer  
Prior Art Unit: 1635

19249 U.S. PTO  
10/615555  
07/07/03

CONTINUATION APPLICATION TRANSMITTAL

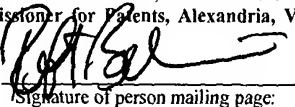
Mail Stop PATENT APPLICATION  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

This is the transmittal of a continuation application under **37 CFR 1.53(b)**.

**Particulars of Prior Application**

A. The prior application is identified as Serial No. 09/874,720, filed June 5, 2001 which claimed priority of U.S. Provisional Application Serial No. 60/209,530 filed June 5, 2000.

B. Title "BINARY HYBRID MUTATIONAL VECTORS".

<p align="center"><b>CERTIFICATE OF MAILING</b> <b>UNDER 37 C.F.R. 1.10</b></p> <p>EXPRESS MAIL Mailing Label Number: <u>EL 931 088 761 US</u> Date of Deposit: <u>July 7, 2003</u></p> <p>I hereby certify that this correspondence, along with any paper referred to as being attached or enclosed, and/or fee, is being deposited with the United States Postal Service, "EXPRESS MAIL-POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10, on the date indicated above, and addressed to: Mail Stop Patent Application, Commissioner for Patents, Alexandria, VA 22313-1450.</p> <p align="right"> _____ Signature of person mailing page: Robert Ballarini _____ Type or print name of person</p>
---

  
**23973**  
PATENT TRADEMARK OFFICE

## **Copy of Application**

The application specification is being filed herewith as follows:

- [x] 61 pages of specification, including 14 pages of claims
- [x] 1 page of abstract
- [x] 6 sheets of drawings
- [x] 5 sheets of sequence listing

## **Power of Attorney**

The original power of attorney in the prior application and for the present application is to:

Arthur H. Seidel, Reg. No. 15,979; Gregory J. Lavorgna, Reg. No. 30,469; Daniel A. Monaco, Reg. No. 30,480; Thomas J. Durling, Reg. No. 31,349; John J. Marshall, Reg. No. 29,671; Joseph R. Delmaster, Reg. No. 38,123; Robert E. Cannuscio, Reg. No. 36,469.

The original power appears in the original papers filed with the parent application. A copy of each prior power of attorney and associate power of attorney as executed are attached.

Address all future communications related to this application should be addressed to:

Daniel A. Monaco, Esq.  
DRINKER BIDDLE & REATH LLP  
One Logan Square  
18<sup>th</sup> and Cherry Sts.  
Philadelphia, PA 19103-6996  
Tel.: (215) 988-3312  
Fax.: (215) 988-2757

**Relate Back -- 35 U.S.C. 120**

The application data sheet as filed herewith includes a cross reference to copending application Serial No. 09/874,720, filed June 5, 2001 which claimed priority of U.S. Provisional Application Serial No. 60/209,530 filed June 5, 2000.

**Inventorship Statement**

The inventors in the prior copending U.S. application from which this application claims benefit under 35 USC 120 are the same as in the present application.

**Maintenance of Copendency of Prior Application**

The present application is being filed during the pendency of the prior related application in that an Office Action was mailed from the Office on January 6, 2003. A request for an extension of time has been submitted in the prior application. The extension request of three months resets the deadline for filing a response to July 7, 2003 (July 6, 2003 being a Sunday).

A copy of the petition for extension of time in the prior application is included herewith.

**Abandonment of Prior Application**

Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time or to revive in that application is granted and when this application is granted a filing date so as to make this application copending with said prior application.

**Notification in Parent Application of the Filing of this Continuation Application**

A notification of the filing of this continuing application is being filed in the parent application from which this application claims priority. A copy of this notice is attached hereto.

**Fee Calculation (37 CFR 1.16)**

CLAIMS FOR FEE CALCULATION			
Number filed	Number	Extra Rate	Basic Filing Fee = \$375.00 (small entity status claimed)
Total Claims (37 C.F.R. 1.16(c)) ***	75-20 = 55	x \$ 9.00	\$495.00
Independent Claims (37 C.F.R. 1.16(b)) ***	5-3=2	x \$ 42.00	\$84.00
Multiple Dependent Claims(s), if any (37 C.F.R. 1.16(d))	yes	\$140.00	\$140.00

Total Filing Fee

\$1094.00**Fee Payment Being Made At this Time**

Enclosed by means of a check totaling \$1094.00

**Authorization To Charge Additional Fees**

The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper or during the entire pendency of the application to Deposit Account No. 50-0573.

☒ 37 CFR 1.16(a), (f) or (g) (filing fees)

☒ 37 CFR 1.16(b), (c) and (d) (presentation of extra claims)

☐ 37 CFR 1.17 (application processing fees)

☐ 37 CFR 1.18 (issue fee at or before mailing Notice of Allowance, pursuant to

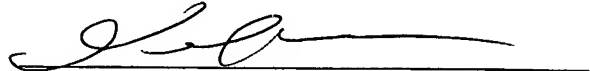
37 CFR 1.311(b)).

Credit any overpayment with respect to the application to Deposit Account No. 50-0573.

Respectfully submitted,

HOWARD B. GAMPER, et al.

BY:



DANIEL A. MONACO

Registration No. 30,480

DRINKER BIDDLE & REATH LLP

One Logan Square

18<sup>th</sup> and Cherry Streets

Philadelphia, PA 19103-6996

Telephone: (215) 988-3312

Facsimile: (215) 988-2757

Attorney for Applicants



23973

PATENT TRADEMARK OFFICE